

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MARK BREAKIRON,	:	
	:	
Petitioner,	:	
	:	CIVIL ACTION
v.	:	
	:	No. 00 - 300:
MARTIN HORN, Commissioner,	:	
Pennsylvania Department of Corrections;	:	Judge Hardiman
CONNOR BLAINE, Superintendent of the	:	
State Correctional Institution at Greene, and	:	<b>THIS IS A CAPITAL CASE.</b>
JOSEPH P. MAZURKIEWICZ,	:	
Superintendent of the State Correctional	:	
Institution at Rockview,	:	
	:	
Respondents.	:	

**ORDER FOR WRIT OF HABEAS AS TESTIFICANDUM**

AND NOW, this 9<sup>th</sup> day of November, 2006,

**IT IS ORDERED AND DIRECTED** that a writ of Habeas Corpus Ad Testificandum is hereby directed to the Superintendent of State Correctional Institution Dallas, Dallas Pennsylvania, or prison officials acting at his direction, and to the United States Marshal for the Western District of Pennsylvania, commanding them to have the body of **JAMES FRANCIS SULLIVAN**, Inmate # BT 9865, before this Court on Monday and Tuesday, December 4 and 5, 2006 at 9:30 a.m. to testify as a fact witness at an evidentiary hearing in the above titled case and to remain in federal custody until completion of the evidentiary hearing.

**IT IS FURTHER ORDERED** that upon completion of the evidentiary hearing in the above-captioned case, **JAMES FRANCIS SULLIVAN**, Inmate # BT 9865, shall be returned to the custody of the Superintendent of State Correctional Institution Dallas, Dallas Pennsylvania.

A handwritten signature in black ink, reading "Thos M. Hardiman". The signature is written in a cursive style with a horizontal line underneath.

Honorable Thomas M. Hardiman  
United States District Judge